

RECORDS DISPOSITION SCHEDULE 13

TITLE I RECORDS

This schedule covers the records formerly listed under Records Control Schedule FHA-13, Title I Records.

<u>Item No.</u>	<u>Description of Records</u>	<u>Disposition</u>
A. POLICY AND PROCEDURES		
1.	Title I General Distribution Letters. These are letters to all qualified lending institutions and Directors of all FHA Field Offices with informational copies of those addressed to lending institutions being forwarded to Field Offices. They contain policy statements of FHA with respect to Title I lending activity. Record copies of both types of letters, along with other administrative issuances are being retained as part of the complete administrative issuances file.	Disposal not authorized. (NARA Job NN-167-87, item 1)
2.	Minutes of the Substantial Compliance Committee. Originals of these minutes, dated, consecutively numbered, signed by the Chairman and members of the committee, are permanent records and are housed in the FHA Archives Records. Copies are nonrecord.	Transfer originals to the FHA Archives Records. Destroy nonrecord, carbon copies after 1 year. (NARA Job NN-167-87, item 2)

It is the Committee's function to waive compliance with regulations covering interest and maturity of loans, and the terms, conditions and restrictions under which loans, advances of credit, and purchases may be insured under Sections 2 and 6 of Title I of the National Housing Act. The Committee may waive compliance if, in its judgment, the enforcement of such regulations would impose an injustice upon an institution which has substantially complied therewith in good faith and refunded or credited any excess charge made, and if such waiver does not involve an increase of the obligation of

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	FHA beyond the obligation which would have been involved if the regulations had been fully complied with.	
3.	General Title I Policy and Procedures Correspondence of the Assistant Commissioner for Property Improvement. These are the policy and instructional records of the Assistant Commissioner for Property Improvement, including reports of a specialized nature on Title I operations, copies of Title I regulations and policy correspondence relating to preparation of Title I regulations, administrative instructions, general correspondence relating to economic conditions, lending activity and general matters pertaining to official Title I business.	Disposal not authorized. (NARA Job NN-167-87, item 3)
4.	RESERVED.	

B. TITLE I OPERATIONS

5.	Credit Files of Title I Lending Institutions. These files include a complete record on financial institutions approved to make insured Title I loans, with correspondence and a copy of the letter of approval and the signed acceptance of the Title I contract, and lenders' procedures pertaining to credit collection and dealers. Certificates of approval are issued to financial institutions; a copy of the letter approval is maintained in these files.	Transfer to Federal Records Center annually those files on which approval has been withdrawn. Disposal not authorized. (NARA Job NN-167-87, item 5)
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These records document the relationship between financial institutions and the FHA with respect to approval or withdrawal of approval of the Title I program and are of continuing reference value.

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6.	Card Index of Title I Lenders and Branches. This index is for current reference and does not have record value.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 6)
7.	Visible Accounting File of Title I Lenders' Activity. This is a current reference file only, pertaining to a limited number of financial institutions where the number and/or dollar volume of Title I claims is running high. Cards are used to determine whether a Title I financial representative should be sent to the institution to review the institution's dealer files, collection procedure and credit policy. It is a current working file, having no continuing reference value.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 7)
8.	Card Index of Financial Institutions. This is a financial institution correspondence file maintained for quick reference. Nonrecord.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 8)
9.	Dealer Claim Cards and Card File of Dealers Operating Under the Title I Program. Reference only.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 9)
10.	Eligibility Files. These are records of continuing value. In addition to correspondence with property owners, dealers, manufacturing firms and Title I lenders, they contain plans and specifications and literature on products for financing under Title I, and legal rulings on eligibility matters from the General Counsel.	Disposal not authorized. (NARA Job NN-167-87, item 10)
11.	Title I Lending Institution Correspondence File.	
	(a) Agreements between lenders and the Federal Housing Administration with respect to property improvement loans; agreements on the	Destroy 10 years after termination of agreement. (NARA Job NN-167-87, item 11(a))

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	transfer of loans and reserves between lenders and the FHA approval of such transfers; and participation agreements.	
(b)	Record and report of Title I Financial Representative survey of individual lending institutions and correspondence relating thereto; general correspondence in connection with requests for data from financial institutions as to their standing in the Title I Program, as compared with other institutions in the area; general financial institution correspondence pertaining to requests for information, requests for authorization status at a given time, informational copies of credit correspondence and items of similar reference value, such as monthly delinquency reports. These records will have no further operational value after the retention period.	Transfer to Federal Records Center after 2 years. Destroy after 5 years. (NARA Job NN-167-87, item 11(b))
12. Dealer Correspondence Files.		
(a)	Dealer files pertaining to requests for information or complaint cases involving dealers wherein satisfactory adjustment has been made.	Transfer to Federal Records Center after 2 years. Destroy after 6 years. (NARA Job NN-167-87, item 12(a))
(b)	Complaint files on dealers on which administrative action is taken.	Transfer to Federal Records Center 5 years after completion of administrative action. Destroy 10 years after action is completed. (NARA Job NN-167-87, item 12(b))

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	These files pertain to complaints on dealers where, after due consideration and investigation, it is determined that no administrative action is necessary by reason of complaints being satisfied. They are of only temporary value. Where administrative action is deemed in order, after due consideration and investigation, and such action is taken, the files are to be held for a period of ten years, as in the case of the correlative investigation files.	
12-1.	Correspondence Between Title I Operations Section and the Field Office Directors. File contains correspondence of a general, nonsubstantive nature between Directors and lending institutions.	Destroy after 3 years. (NARA Job NN-167-87, item 12-1)
12-2.	Congressional and Miscellaneous File. File contains correspondence from members of Congress, with replies, and correspondence from individuals of a general, nonsubstantive nature which does not pertain to any specific lending institution or FHA claim file. Correspondence with Congressional Committees will be retained.	Destroy after 3 years. (NARA Job NN-167-87, item 12-2)
13.	RESERVED.	
13-1.	Procedure for Handling Title I Examinations, Correspondence and Training, File for Title I Field Representatives. These records are of continuing value.	Disposal not authorized. (NARA Job NN-167-87, item 13-1)
13-2.	Copies of Field Unit Surveys, Title I Collections. This reference file contains monthly, semiannual and annual, by fiscal years, Field	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 13-2)

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	inventory and report of collections, copies of internal auditor's findings to correct discrepancies, Field supervisor reports and other reference data of an administrative nature.	
13-3.	Yearly Reports to Field Offices-- Field Collection Operations. These reports are prepared to show Field collection activity on Title I claims. Each yearly report consists of one large sheet, showing inventory of Title I claims on hand and the total collections by loan servicing representatives, offices and Regions. Record copy.	Disposal not authorized. (NARA Job NN-167-87, item 13-3)
C. LIQUIDATION		
14.	RESERVED.	
15.	Rulings and Opinions of the General Counsel. File contains various decisions or opinions which have been rendered with respect to liability, eligibility and procedures for collection. They are used as a basis for collection procedures by the Title I Liquidation function.	Disposal not authorized. (NARA Job NN-167-87, item 15)
16.	Writeups on Compromise Cases. Copies of writeups where compromise cases have been submitted to the Collection Committee, Assistant Commissioner for Property Improvement and Legal Division for examination. A copy of each compromise writeup is a part of the individual file; however, these records are to be retained since they are in small volume and useful for reference.	Disposal not authorized. (NARA Job NN-167-87, item 16)

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17.	Correspondence and Reports Pertaining to Contacts With U.S. Attorneys In Collection of Title I Claims Through Legal Means. File contains correspondence and reports relating to judgments, filing of proof of claim summons and complaint and other legal records in the nature of reconciliation surveys. They are used as a basis for establishing or sustaining effective procedures in the collection of Title I claims. Records are small in volume.	Disposal not authorized. (NARA Job NN-167-87, item 17)
18.	Title I Docket Files. Files contain security instruments taken to support the claim of the Government against debtors where default has resulted in payment of financial institution claims by the Federal Housing Administration. No documents are contained in these files on claims paid in full or settled by compromise agreement.	Transfer annually to the Federal Records Center all files which have been declared by the Assistant Commissioner for Property Improvement to be "inactive" or "uncollectible." (NARA Job NN-167-87, item 18)
18-1.	Title I Claim Files.	
	(a) Title I Claim Files pertaining to defaulted loan accounts closed by payment in full, by repurchase, by cancellation or by compromise settlement.	Transfer to Federal Records Center as volume warrants. Destroy 1 year after account has been closed or property acquired by the FHA. (NARA Job NN-167-87, item 18-1(a))
	(b) Title I Claim Files pertaining to defaulted loan accounts closed as unrecoverable where debt is extinguished by legal action through bankruptcy and/or non-asset decedent estates.	Destroy after writeoff and removal (for transfer to document vault) of the credit application; credit report, if any; FH-7, Title I Claim for Loss--Application Voucher; and Form FHA-167 security collateral record, if any. (NARA Job NN-167-87, item 18-1(b))

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(c)	Title I Claim Files pertaining to ineligible claims.	Transfer to Federal Records Center as volume warrants. Destroy 6 years after close of fiscal year during which declared ineligible. (NARA Job NN-167-87, item 18-1(c))
(d)	Title I Claim Files pertaining to uncollectible loan accounts reflecting outstanding balances due the United States and not falling into categories (a) or (b) above in this item.	Destroy after writeoff and removal (for transfer to document vault) of the credit application; credit report, if any; FH-7, Title I Claim for Loss--Application Voucher; and Form FHA-167 security collateral record, if any. (NARA Job NN-167-87, item 18-1(d))
<p>The period of one year indicated for item (a) involving cases closed by payment in full, by repurchase, by cancellation or by compromise settlement is adequate for audit and operational purposes. Cases involve claims paid by the FHA which have been liquidated by the debtor, settled by compromise with the debtor, or repurchased by the lender, as well as cancelled cases on which no amount is owing to the Government. In connection with item (b) pertaining to cases identified as unrecoverable, the unsecured note, other relevant data and the account card are retained and the Title I claim files are destroyed. Item (c) refers to cases on which there is no amount owing to the Government. Item (d) refers to all other types of unliquidated balances of Title I claims paid by the FHA. As in (b), the unsecured note, other relevant data, and the related account card are retained and the Title I claim files are destroyed.</p>		
19.	Title I Account and Judgment Cards and Claims. In the Liquidation function, these are active working files in connection with vigorous collection efforts pursued upon the payment of Title I claims made to the FHA by financial institutions.	Transfer to Comptroller's Division, Title I Section, when the obligation is paid in full or compromised or upon determination that claim involved is uncollectible or unrecoverable. (NARA Job NN-167-87, item 19)

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<u>Item No.</u>	<u>Description of Records</u>	<u>Disposition</u>
20.	Detailed Surveys of Title I Liquidation Activity. These are studies on the effectiveness of existing procedures used for estimating future activities and needs; planning more efficient operations and determining effectiveness of current methods. These files are in the nature of operating procedure surveys and are important for reference.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 20)
21.	Administrative Files of the Liquidation Function And Subordinate Units. File contains general correspondence, inter-office memoranda, budget estimates, copies of requisitions, nonrecord reports, etc. Principal records of this activity are provided for retention or disposal in accordance with records requirements and audit of claims accounts. These particular files are important primarily for reference in operations.	Destroy after 3 years. (NARA Job NN-167-87, item 21)
22.	Unofficial Personnel Folders. This item is nonrecord.	Use General Records Schedule 1, item 18.
23.	Chronological Files of Liquidation Function and Subordinate Units. Reference only.	Destroy after 1 year. (NARA Job NN-167-87, item 23)
24.	Monthly Reports to the Assistant Commissioner for Property Improvement, Covering Inventory, Cash Collection and Production Data. File contains a narrative statement pertaining to progress in Title I Liquidation activity. Reference copies.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 24)
25.	RESERVED.	
26.	Control Lists of Title I Claims in Progress. Reference and control. Nonrecord.	Destroy after 1 year. (NARA Job NN-167-87, item 26)

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27.	Control Record of Title I Claims Files Forwarded to U.S. Attorneys. This is a simple control file showing MCP Case Number and dollar amount of each case.	Destroy when case is returned from U.S. Attorney. (NARA Job NN-167-87, item 27)
28.	Work Sheets Used in Preparation of Monthly and Annual Reports of Collections by U.S. Attorneys. These are work sheets on Title I claims for separate Federal jurisdictions and are used to assemble summary data to be incorporated in prepared reports to Title I Division and the Comptroller. Nonrecord.	Destroy after 6 months. (NARA Job NN-167-87, item 28)
29.	Copies of Legal Rulings Made in Connection with Title I Claims Accounts Located in Subordinate Units. These are reference copies of legal rulings other than those listed in item 3 of this schedule.	Destroy when superseded or obsolete. (NARA Job NN-167-87, item 29)
30.	Copies of Tax Letters. File contains letters requesting tax information of county or city tax collectors in connection with Title I collection procedures. Principal copies of such data are maintained as part of individual case files. These are reference copies.	Destroy after 1 year. (NARA Job NN-167-87, item 30)
31.	RESERVED.	
32.	Control File for the Revival of Judgment Security on Title I Claims. This is a card record of judgments filed as security on Title I claims. Banks assign judgments to the Government and the rights under the judgment. Action is initiated by the FHA to enforce liquidation of the account through the securities assigned. The assignment of judgment is a part of the Title I Claim File. This card record is simply a control to assure that the FHA retains enforceability.	Destroy after case is liquidated. (NARA Job NN-167-87, item 32)

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33-35.	RESERVED.	
36.	General Correspondence of an Administrative Nature With Title I Field Representatives. These files do not contain substantive material; but do include a record of supervisory correspondence in connection with Title I Field representative collection activity. They will have no further administrative value after the retention period.	Destroy after 3 years. (NARA Job NN-167-87, item 36)
37.	Card Index of Title I Claims Paid (Filed numerically and alphabetically). These are locator card files maintained by Title I Claims File number and alphabetically by name of borrower. The principal records are Title I Claims File, including Statement of Facts, record of payment of claim, correspondence and judgment cards which bear the record of collections. These cards constitute a nonrecord reference file which is useful in the liquidation function for the recordation of the current status and location of accounts, uncollectible or under collection.	Destroy, after frequent review, cards not involved in outstanding accounts. Retain cards involving outstanding accounts. (NARA Job NN-167-87, item 37)
38.	Correspondence Pertaining to Filing and Recording of Judgments, Conditional Sales Contracts and Other Security Instruments. This is a chronological control file on filing and recording of security instruments. The principal record of such actions is incorporated in the Title I Claims Files. This file is of temporary value only for convenience of reference.	Destroy after 2 years. (NARA Job NN-167-87, item 38)
39-50.	RESERVED.	

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D. ADDITIONAL RECORDS

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| 51. | Advice of Application Disposition And Report of Mortgage Credit Examiner. These records relate to Title I, Class 1 or Class 2 loans in excess of \$5,000 approved by the Field Office. Copies are submitted to Washington for review as to conformance with the Title I regulations and established credit policy. This file also includes correspondence to the Field Offices concerning deviations from the established procedures in approving the loans. | If any action is taken, transfer the forms and related correspondence to Comptroller's Reports of Loans File, when the action is completed. Destroy after review if no action is taken. (NARA Job NN-167-87, item 51) |
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